

## REMARKS

Reconsideration of this application as amended is respectfully requested. A Request for Continued Examination accompanies this Amendment.

Applicants have amended claim **1** and added new claims **58 – 70** to better define the invention.

Applicants reserve all rights under the Doctrine of Equivalents.

Support for the amendments is found in the specification, claims, and drawings as originally filed. Applicants respectfully submit that no new matter has been added.

New independent claim **58** is supported in the original specification at least by original claim **1** and by paragraph [0099] (“... *when connected to the Shell, the Shell may issue control commands to the Egg, such as a command to search for a free FM frequency ...*”).

New dependent claim **59** is supported in the original specification at least by paragraphs [0080] and [0099].

New dependent claim **60** is supported in the original specification at least by original claim **16**.

New dependent claim **61** is supported in the original specification at least by original claim **17**.

New dependent claim **62** is supported in the original specification at least by original claim **12**.

New independent claim **63** is supported in the original specification at least by original claim **37** and by paragraph [0099].

New dependent claim **64** is supported in the original specification at least by original claim **41**.

New dependent claim **65** is supported in the original specification at least by paragraphs [0080] and [0099].

New dependent claim **66** is supported in the original specification at least by original claim **38**.

New independent claim **67** is supported in the original specification at least by pars. [0019], [0079] and [0081], by Tables I, V, VII and IX, by FIGS. 5, 6G and 8A, and by original claims **37** and **38**.

New dependent claim **68** is supported in the original specification at least by original claim **39**.

New dependent claim **69** is supported in the original specification at least by original claim **40**.

New dependent claim **70** is supported in the original specification at least by original claim **41**.

#### **Claim Rejections – 35 U.S.C. §103**

In Paragraphs 3 - 11 of the Office Action, the Examiner has rejected claims **1, 4 – 6, 13, 16, and 17** under 35 U.S.C. §103(a) as being unpatentable over Grady, U.S. Publication No. 2004/0058649 A1 (“Grady”), in view of Fadell et al., U.S. Publication No. 2004/0224638 A1 (“Fadell”) with evidence from Csicsatka, U.S. Publication No. 2003/0158737 A1 (“Csicsatka”), further in view of Thielen, U.S. Publication No. 2004/0117442 (“Thielen”), and further in view of Ohmura et al., U.S. Patent No. 7,158,842 (“Ohmura”).

In Paragraphs 12 – 14 of the Office Action, the Examiner has rejected claims **7 and 8** under 35 U.S.C. §103(a) as being unpatentable over Grady, Fadell, Thielen and Ohmura with evidence from Csicsatka, and further in view of Official Notice of well-known prior art.

In Paragraphs 15 and 16 of the Office Action, the Examiner has rejected claim **9** under 35 U.S.C. §103(a) as being unpatentable over Grady, Fadell, Thielen and Ohmura, with evidence from Csicsatka, and further in view of Matsuda et al., U.S. Patent No. 6,774,604 (“Matsuda”).

#### **Claims Rejections – 35 U.S.C. §103**

The prior art of Grady and Thielen was discussed in applicants’ responses filed on November 24, 2008, May 18, 2009 and December 14, 2009. The prior art of Ohmura and Matsuda was discussed in applicants’ responses filed on November 24, 2008 and May 18,

2009. The prior art of Fadell and Csicsatka was discussed in applicants' response filed on December 14, 2009.

The rejections of claims **1, 4 – 9, 13, 16** and **17** in paragraphs 3 - 16 of the Office Action will now be dealt with specifically.

As to independent claim **1** for a hand-held music player, applicants respectfully submit that the limitation in claim **1** of

*“a second transfer socket ... through which the meta-data is transferred to the radio transmitter for transmission by the radio transmitter as **RDS data**, wherein the meta-data comprises **a name for the hand-held music player**”*

is neither shown nor suggested in Grady, Fadell, Csicsatka, Thielen, Ohmura, or Matsuda.

In rejecting claim **1** on page 5 of the Office Action, the Examiner has cited Ohmura as teaching a system of portable apparatuses and an audio system in communication, wherein a name and an identifier is transmitted. Applicants respectfully submit that Ohmura describes transmitting an identification address, but fails to describe transmitting a name. Indeed, as Ohmura recites at col. 11, lines 30 – 32, *“... the audio apparatus 100 and the plurality of portable audio apparatuses 200a and 200b send an **identification address** to each other and form a network through in in-car radio communication”* (emphasis added). The identification address is used by Ohmura in order to set up a short-distance in-car radio communication network (Ohmura/ col. 9, lines 24 – 31). The names of the portable audio apparatuses 200a and 200b are not transmitted, and the indicators PA, PB, PLAYER A and PLAYER B used by Ohmura in elements D21 and D22 of FIG. 6 are generic indicators that are used for all portable audio apparatuses. Applicants further note that the “title information” and “title data” mentioned in Ohmura (e.g., col. 3, line 56; col. 4, line 67; col. 19, lines 47 and 65; claims **5, 7** and **8**) refer to titles of music content, and not to names of portable audio apparatuses.

Similarly, at col. 22, lines 1 – 6, Ohmura recites *“... a radio communication network made up of respective apparatuses by assigning **identification addresses** to a plurality of portable audio apparatuses 200a and 200b that exist within the radio communication range of the audio apparatus 100 and thereby identifying the apparatuses”* (emphasis added).

Moreover, on page 10 of the Office Action of June 27, 2008, and also on page 9 of the Office Action of February 18, 2009, the Examiner cited Ohmura in a §103(a) rejection as teaching “*a system of portable apparatuses and an audio system in communication, wherein an **identification number** is transmitted*” (emphasis added); and on page 11 of the Office Action of February 4, 2010, the Examiner indicated that claim **15**, as amended with the limitation of transmitting a name, is allowable over the prior art.

Applicants therefore respectfully submit that the rejection of claim **1** has been overcome.

Because claims **4 – 9, 13, 16** and **17** depend from claim **1** and include additional features, applicants respectfully submit that claims **4 – 9, 13, 16** and **17** are not anticipated or rendered obvious by Grady, Fadell, Csicsatka, Thielen, Ohmura, Matsuda, or a combination thereof.

Accordingly, applicants respectfully submit that the rejection of claims **4 – 9, 13, 16** and **17** has been overcome.

New independent claim **58** for a hand-held music player includes the limitation of “*circuitry to determine the designated radio broadcast frequency in response to a control command received **from the radio transmitter.***”

The limitation of a hand-held audio player receiving a control command to determine a broadcast frequency, from an external radio transmitter, is neither shown nor suggested in Grady, Fadell, Csicsatka, Thielen, Ohmura, or Matsuda.

Because claims **59 - 62** depend from claim **58** and include additional features, applicants respectfully submit that claims **59 - 62** are not anticipated or rendered obvious by Grady, Fadell, Csicsatka, Thielen, Ohmura, Matsuda, or a combination thereof.

Accordingly, claims **58 - 62** are respectfully submitted to be allowable over the cited prior art.

New independent method claim **63** includes the limitations of “*receiving, **by the hand-held music player, a control command from the radio transmitter***”, and

*“determining, by the hand-held music player, the designated radio broadcast frequency in response to said receiving.”*

The limitation of a hand-held audio player receiving a control command to determine a broadcast frequency, from an external radio transmitter, is neither shown nor suggested in Grady, Fadell, Csicsatka, Thielen, Ohmura, or Matsuda.

Because claims **64 - 66** depend from claim **63** and include additional features, applicants respectfully submit that claims **64 - 66** are not anticipated or rendered obvious by Grady, Fadell, Csicsatka, Thielen, Ohmura, Matsuda, or a combination thereof.

Accordingly, claims **63 - 66** are respectfully submitted to be allowable over the cited prior art.

New independent method claim **67** includes the limitation of

*“transferring, by the hand-held music player, the meta-data for the song to the radio transmitter for transmission by the radio transmitter as **RDS data**, wherein the meta-data comprises **a name for the hand-held music player**.”*

The limitation of an audio player receiving a control command, to determine a broadcast frequency, from a radio transmitter, is neither shown nor suggested in Grady, Fadell, Csicsatka, Thielen, Ohmura, or Matsuda.

Because claims **68 - 70** depend from claim **67** and include additional features, applicants respectfully submit that claims **68 - 70** are not anticipated or rendered obvious by Grady, Fadell, Csicsatka, Thielen, Ohmura, Matsuda, or a combination thereof.

Accordingly, claims **67 - 70** are respectfully submitted to be allowable over the cited prior art.

**CONCLUSION**

For the foregoing reasons, applicants respectfully submit that the applicable objections and rejections have been overcome.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Lester J. Vincent  
Reg. No. 31,460

1279 Oakmead Parkway  
Sunnyvale, CA 94085-4040  
(408) 720-8300

Customer No. 92129